

IN THE SUPREME COURT OF WESTERN AUSTRALIA

CIV 1106 of 2022

B E T W E E N:

**VIVIEN JIT SIEN YAP**

First Plaintiff

and

**EMPIRE SONS (AUSTRALIA) PTY LTD**

**T/AS RAY WHITE (DALKEITH CLAREMONT) (ACN 604 259 145)**

Second Plaintiff

and

**SANDI MATIC**

Defendant

---

**EIGHTH AFFIDAVIT OF JESSICA LOUISE BORDER  
AFFIRMED 27 OCTOBER 2022  
AND ATTACHMENTS 'JLB-1' – 'JLB-8'**

---

Date of Document: 27 October 2022  
Filed on behalf of: The First Plaintiff  
Date of Filing: 27 October 2022

Prepared by:

Bennett  
Level 14, Westralia Square  
141 St Georges Terrace  
PERTH WA 6000

Tel: +61 8 6316 2200  
Fax: +61 8 6316 2211  
Ref: JLB: MLB:116086

---

**INDEX**

| No | Description                                            | Page No |
|----|--------------------------------------------------------|---------|
| 1  | Affidavit of Jessica Louise Border                     | 1 - 6   |
| 2  | 'JLB-1' is a true copy of my email dated 24 March 2022 | 7 - 22  |

**FILED**

**27 OCT 2022**

*Via eLodgment*

**CENTRAL OFFICE  
SUPREME COURT**

116086 (2168698)

|   |                                                                                                                        |         |
|---|------------------------------------------------------------------------------------------------------------------------|---------|
| 3 | 'JLB-2' is a true copy of the correspondence dated 19 September 2022                                                   | 23 - 24 |
| 4 | 'JLB-3' is a true copy of the Associate's email dated 25 October 2022                                                  | 25      |
| 5 | 'JLB-4' is a true copy of article dated 5 October 2022                                                                 | 26 - 31 |
| 6 | 'JLB-5' is a true copy of article dated 6 October 2022                                                                 | 32- 33  |
| 7 | 'JLB-6' is a true copy of the email to the defendant dated 19 October 2022.                                            | 34 - 54 |
| 8 | 'JLB-7' a true copy of an email from the Associate to Registrar Nelson attaching the Notice of Provisional Assessment. | 55 - 56 |
| 9 | 'JLB-8' a true copy of the letter from the defendant received on 27 October 2022                                       | 57      |

I, JESSICA LOUISE BORDER, of care of Bennett, Solicitors, 14<sup>th</sup> Floor, Westralia Square, 141 St Georges Terrace, Perth in the State of Western Australia, Solicitor, solemnly and sincerely declare and affirm as follows:

- 1 I am a solicitor employed by Lawfirst Pty Ltd trading as Bennett, solicitors for the first and second plaintiffs.
- 2 I am authorised to affirm this affidavit on behalf of the first plaintiff.
- 3 I make this affidavit in support of the first plaintiff's amended application for committal of the defendant for contempt of Court filed on 5 August 2022  
(Application).
- 4 The contents of this affidavit are true and correct to my own knowledge unless otherwise stated in which case they are true to the best of my information and belief and the source of my information and belief is stated.




**Defendant's notice of application and hearing**

- 5 On 24 March 2022, I provided to the defendant an email attaching an unsealed copy of the first plaintiff's application for contempt of court dated 22 March 2022 (**Chamber Summons**). I attach marked "**JLB-1**" a true copy of my email dated 24 March 2022.
- 6 The Chamber Summons was initially heard on 12 April 2022. I attended the hearing with counsel for the plaintiffs, Mr Bennett. The defendant appeared in person at the hearing.
- 7 On 23 May 2022, the Court delivered its reasons in relation to the Chamber Summons. The first plaintiff was required to amend the Chamber Summons so that the Court could properly determine the application.
- 8 On 1 August 2022, the first plaintiff applied for leave to amend the Chamber Summons. I attended the directions hearing with counsel for the plaintiffs, Mr Bennett. The defendant did not appear. The Court made an order that the first plaintiff have leave to amend the Chamber Summons. The matter was adjourned for directions to 11 August 2022.
- 9 On 5 August 2022, the first plaintiff filed the Application.
- 10 On 11 August 2022, I attended the directions hearing with counsel for the plaintiffs, Mr Bennett. The defendant appeared in person at the hearing.
- 11 On 19 September 2022, the Associate to the Honourable Justice Solomon notified the parties that the Court had listed the hearing of the Application at 2:00pm on Thursday 27 October 2022. On the same day, the defendant responded to the Associate's email. I attach marked "**JLB-2**" a true copy of the correspondence dated 19 September 2022.



- 12 On 25 October 2022, the Associate to the Honourable Justice Solomon provided the parties with a courtesy reminder of the hearing. I attach marked “**JLB-3**” a true copy of the Associate’s email dated 25 October 2022.

**The defendant’s arrest**

- 13 On 5 October 2022, the West Australian Newspaper published an article that stated the Magistrates Court had issued an arrest warrant for the defendant. I attach marked “**JLB-4**” a true copy of the article dated 5 October 2022.
- 14 On 6 October 2022, the West Australian Newspaper published an article that stated the defendant had been arrested. I attach marked “**JLB-5**” a true copy of the article dated 6 October 2022.

**Costs**

- 15 On 19 October 2022, the plaintiffs filed a bill of costs for costs incurred in the proceedings.
- 16 On the same day, I wrote to the defendant by way of service, attaching the plaintiffs’ bill of costs. I attach marked “**JLB-6**” a true copy of my email to the defendant dated 19 October 2022.
- 17 On 25 October 2022, the parties were informed that Registrar Nelson had assessed the plaintiffs’ costs of these proceedings in the amount of \$32,846.96. I attach marked “**JLB-7**” a true copy of an email from the Associate to Registrar Nelson attaching the Notice of Provisional Assessment.
- 18 On 27 October 2022, I received from the defendant a letter (dated 24 October 2022) in response to my email of 19 October 2022. I attach marked “**JLB-8**” a true copy of the letter from the defendant received on 27 October 2022.
- 19 I have reviewed the costs incurred by the first plaintiff in relation to the Application. In summary form, those costs (inclusive of GST) are as follows:



| <b>Solicitor</b>       | <b>Hours spent</b> | <b>Costs billed<br/>(actual)</b> | <b>Costs billed<br/>(scale)</b> |
|------------------------|--------------------|----------------------------------|---------------------------------|
| Martin Bennett<br>(SP) | 2.5                | \$2,021.64                       | \$1,237.50                      |
| Jessica Border<br>(JP) | 5.4                | \$1,840.08                       | \$2,019.60                      |
| <b>TOTAL</b>           |                    | <b>\$3,861.72</b>                | <b>\$3,257.10</b>               |

20 For the purposes of the above calculations:

20.1 the Senior Practitioner actual rate is \$880 per hour, and the Junior Practitioner actual rate is \$385 per hour; and

20.2 the Senior Practitioner scale rate is \$495 per hour, and the Junior Practitioner scale rate is \$352 per hour, as specified in the *Legal Profession (Supreme and District Courts) (Contentious Business) Determination 2020* (WA).

21 In addition to the above, I estimate the first plaintiff will incur unbilled costs in the following amounts for preparing for and attendance at the hearing listed on 27 October 2022:

| <b>Solicitor</b>       | <b>Estimated<br/>hours spent</b> | <b>Estimated costs<br/>billed (actual)</b> | <b>Estimated costs<br/>billed (scale)</b> |
|------------------------|----------------------------------|--------------------------------------------|-------------------------------------------|
| Martin Bennett<br>(SP) | 2                                | \$1,760                                    | \$1,012                                   |




|                        |   |                |                |
|------------------------|---|----------------|----------------|
| Jessica Border<br>(JP) | 4 | \$1,540        | \$1,496        |
| <b>TOTAL</b>           |   | <b>\$3,300</b> | <b>\$2,508</b> |

22 For the purposes of the above calculations:

22.1 the Senior Practitioner actual rate is \$880 per hour, and the Junior Practitioner actual rate is \$385 per hour; and

22.2 the Senior Practitioner scale rate is \$506 per hour, and the Junior Practitioner scale rate is \$374 per hour, as specified in the *Legal Profession (Supreme and District Courts) (Contentious Business) Determination 2022* (WA).

23 The total scale costs incurred by the first plaintiff are therefore \$5,765 (being billed costs of \$3,257.10 and estimated costs of \$2,508).

24 The total costs incurred by the first plaintiff on an indemnity basis are therefore \$7,162 (being billed costs of \$3,861.72 and estimated costs of \$3,300).

AFFIRMED by JESSICA )  
LOUISE BORDER at Perth )  
in the said State of Western Australia )  
the 27<sup>th</sup> day of October 2022 )



Before me:



GAVAN FRANCES CRUISE

a legal practitioner who has held a practice certificate for at least 2 years and who holds a current practice certificate

**From:** [Jessica Border](#)  
**To:** [Sandi Matic \(@KonkretHaus\)](#)  
**Cc:** [Martin Bennett](#); [Lucy Blakiston](#)  
**Subject:** CIV 1106 of 2022 II Vivien Yap & Anor v Sandi Matic [116086]  
**Date:** Thursday, 24 March 2022 11:47:00 AM  
**Attachments:** [116086 - Chamber Summons for hearing in chambers 17\\_03\\_2022 15-10-28.pdf](#)  
[116086 - SC FORM Order 59 Rule 9\(2\) MEMORANDUM of CONFERRAL 18\\_03\\_2022 1....pdf](#)  
[AFFIRMED Affidavit of Jessica Louise Border affirmed 21 February 2022.pdf](#)  
[image001.png](#)  
[image002.png](#)  
[image003.png](#)

---

Mr Matic

On Tuesday morning we filed the *attached* documents with the Court. The documents consist of an application for committal for contempt of Court. We have asked that the Court list the application on the same day as the injunction hearing, being 12 April 2022.

Given that the Court has not yet provided us with sealed copies of the documents, and in the interests of providing you with notice of the application, we have provided you with unsealed copies of the documents. We will provide you with sealed copies once the Court has processed the documents.

Regards

**Jess Border**  
Solicitor

Bennett + Co Litigation + Commercial Law



Ground Floor, 28 The Esplanade, Perth WA 6000

T +61 8 6316 2200     E [jborder@bennettandco.com.au](mailto:jborder@bennettandco.com.au)

D +61 8 6316 2276

[www.bennettandco.com.au](http://www.bennettandco.com.au)



[Follow us on LinkedIn](#)



**BENNETT + CO** | Liability limited by a scheme approved under Professional Standards Legislation.

This email is confidential. If you are not the intended recipient you must not disclose or use the information contained in it. If you have received this email in error please notify us immediately by return email and delete the document. Bennett + Co is not responsible for any changes made to a document other than those made by Bennett + Co or for the effect of the changes on the document's meaning. Bennett + Co accepts no liability for any damage caused by this email or its attachments due to viruses, interference, interception, corruption or unauthorised access.

IN THE SUPREME COURT OF WESTERN AUSTRALIA

CIV 1106 of 2022

B E T W E E N:

**VIVIEN JIT SIEN YAP**

First Plaintiff

and

**EMPIRE SONS (AUSTRALIA) PTY LTD T/AS RAY WHITE (DALKEITH  
CLAREMONT) (ABN 41 604 259 145)**

Second Plaintiff

**SANDI MATIC**

Defendant

---

**CHAMBER SUMMONS FOR COMMITTAL OF THE DEFENDANT FOR  
CONTEMPT OF COURT PURSUANT TO ORDER 55 RULE 4(2) OF THE RULES  
OF THE SUPREME COURT 1971**

---

|                     |                 |
|---------------------|-----------------|
| Allocated Judge     | Justice Solomon |
| Date of Document:   | 22 March 2022   |
| Filed on behalf of: | First Plaintiff |
| Date of Filing:     | 22 March 2022   |

Prepared by:  
Bennett + Co  
Ground Floor  
28 The Esplanade  
PERTH WA 6000

Tel: (08) 6316 2200  
Fax: (08) 6316 2211  
Ref: JLB:MLB:116086

LET ALL PARTIES concerned attend the Judge in Chambers on the                      day of  
April, 2022, at                      o'clock in the                      noon, on the hearing of an application by the  
first plaintiff for orders that:

- 1        The defendant be committed for contempt of this Honourable Court, by his  
          conduct in threatening the first plaintiff in an email sent by the defendant to Mr  
          Martin Bennett dated 15 March 2022 in breach of order 1(iv) of the Orders of  
          Justice Solomon made 11 February 2022 as this Honourable Court thinks fit.

2       The defendant pay the first plaintiff's costs of this application on an indemnity basis to be assessed and paid forthwith.

DATED the 22<sup>nd</sup> day of March 2022

*Bennett + Co*

---

BENNETT + CO  
Solicitors for the First Plaintiff

This summons was taken out by Bennett + Co, solicitor for the first plaintiff whose address for service is Ground Floor, 28 The Esplanade, Perth WA 6000.

To:       The Defendant

of:       17 Biara Gardens  
          Mount Claremont WA 6010

IN THE SUPREME COURT OF WESTERN AUSTRALIA

CIV 1106 of 2022

B E T W E E N:

**VIVIEN JIT SIEN YAP**

First Plaintiff

and

**EMPIRE SONS (AUSTRALIA) PTY LTD T/AS RAY WHITE (DALKEITH  
CLAREMONT) (ACN 604 259 145)**

Second Plaintiff

and

**SANDI MATIC**

Defendant

---

**ORDER 59 RULE 9(2)  
MEMORANDUM SUPPORTING WAIVER OF CONFERRAL  
RE: THE FIRST PLAINTIFF'S CHAMBER SUMMONS  
DATED 22 MARCH 2022**

---

|                     |                     |
|---------------------|---------------------|
| Allocated Judge:    | Justice Solomon     |
| Date of Document:   | 22 March 2022       |
| Filed on behalf of: | The First Plaintiff |
| Date of Filing:     | 22 March 2022       |

Prepared by:  
Bennett + Co  
Ground Floor  
28 The Esplanade  
PERTH WA 6000

Tel: (08) 6316 2200  
Fax: (08) 6316 2211  
Ref: JLB:MLB:116086

I refer to the first plaintiff's chamber summons dated 22 March 2022 for orders

- 1 The defendant be committed for contempt of this Honourable Court, by his conduct in threatening the first plaintiff in an email sent by the defendant to Mr Martin Bennett dated 15 March 2022 in breach of order 1(iv) of the Orders of Justice Solomon made 11 February 2022 as this Honourable Court thinks fit.

- 2 The defendant pay the first plaintiff's costs of this application on an indemnity basis to be assessed and paid forthwith.

and certify that:

1 **Reasons for not conferring**

The parties have not conferred as required by Order 59 rule 9(1) for the following reasons:

- 1.1 The nature of the conduct of the defendant which gives rise to the first plaintiff's application renders the process of conferral unsuitable.

2 **Intention to seek waiver**

The first plaintiff intends to move the Court to waive the operation of Order 59 rule 9(1).

3 **Hearing**

The first plaintiff requests that the application be listed for hearing as follows:

- 3.1 type of appointment: special appointment

- 3.2 programming orders:

- 3.2.1 The first plaintiff's application be listed hearing on a date convenient to the Court and the parties. In this regard, this matter is presently listed for argument on 12 April 2022. This matter should be listed on that date.

- 3.2.2 The first plaintiff file submissions in support of the application 2 clear days before the hearing of the application.

3.3 time required for oral argument: 1 hour.

Dated this 22<sup>nd</sup> day of March 2022

---

BENNETT + CO  
Solicitors for the First Plaintiff

IN THE SUPREME COURT OF WESTERN AUSTRALIA

CIV 1106 of 2022

B E T W E E N:

**VIVIEN JIT SIEN YAP**

First Plaintiff

and

**EMPIRE SONS (AUSTRALIA) PTY LTD T/AS RAY WHITE (DALKEITH  
CLAREMONT) (ACN 604 259 145)**

Second Plaintiff

and

**SANDI MATIC**

Defendant

---

**SECOND AFFIDAVIT OF JESSICA LOUISE BORDER  
AFFIRMED 21 FEBRUARY 2022  
AND ATTACHMENTS JLB-1 – JLB-3**

---

|                     |                                |
|---------------------|--------------------------------|
| Judge:              | The Honourable Justice Solomon |
| Date of Document:   | 21 February 2022               |
| Filed on behalf of: | The Plaintiffs                 |
| Date of Filing:     | 21 February 2022               |

Prepared by:  
Bennett + Co  
Ground Floor  
28 The Esplanade  
PERTH WA 6000

Tel: (08) 6316 2200  
Fax: (08) 6316 2211  
Ref: JLB:MLB:116086

| No | Description                                                                                                | Page No |
|----|------------------------------------------------------------------------------------------------------------|---------|
| 1  | Second Affidavit of Jessica Louise Border                                                                  | 1 - 3   |
| 2  | 'JLB-1' is a true copy of a letter from Bennett + Co to Mr Matic dated 15 February 2022                    | 4 - 5   |
| 3  | 'JLB-2' is a true copy of a letter from Mr Matic to Bennett + Co dated 18 February 2022 received at 3:06pm | 6 - 7   |
| 4  | 'JLB-3' is a true copy of the email from Mr Bennett to Mr Matic dated 18 February 2022 sent at 3:12pm      | 8 - 10  |

I, JESSICA LOUISE BORDER, of care of Bennett + Co, Ground Floor, 28 The Esplanade, Perth in the State of Western Australia, Solicitor, solemnly and sincerely declare and affirm as follows:

- 1 I am a solicitor employed by Lawfirst Pty Ltd trading as Bennett + Co, solicitors for the plaintiffs.
- 2 I am authorised to affirm this affidavit on behalf of the plaintiffs.
- 3 The contents of this affidavit are true and correct to my own knowledge unless otherwise stated in which case they are true to the best of my information and belief and the source of my information and belief is stated.
- 4 To the extent necessary, I crave leave to refer to the conferral correspondence that is attached to this affidavit.
- 5 On 15 February 2022, Bennett + Co wrote to the defendant. I attach marked 'JLB-1' a true copy of the letter from Bennett + Co to Mr Matic dated 15 February 2022.
- 6 On 18 February 2022, Mr Matic responded to Bennett + Co's letter. I attach marked 'JLB-2' a true copy of the letter from Mr Matic to Bennett + Co dated 18 February 2022 received at 3:06pm.

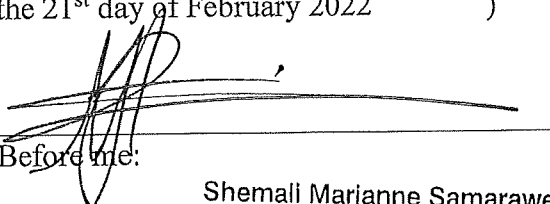



7 On 18 February 2022, Mr Bennett sent an email to Mr Matic. I attach marked  
‘JLB-1’ a true copy of the email from Mr Bennett to Mr Matic dated 18  
February 2022 sent at 3:12pm.

AFFIRMED by JESSICA LOUISE )  
BORDER at Perth )  
in the State of Western Australia )  
the 21<sup>st</sup> day of February 2022 )



Before me:



Shemali Marianne Samaraweera  
Bennett + Co  
28 The Esplanade  
Perth, Western Australia 6000  
Australian Legal Practitioner

a legal practitioner who has held a practice  
certificate for at least 2 years and who  
holds a current practice certificate

Our ref: MLB:116086  
Contact: Martin Bennett  
Direct Line: (08) 6316 2255  
Email: mbennett@bennettandco.com.au  
Contact: Jessica Border  
Email: jborder@bennettandco.com.au

15 February 2022

Mr Sandi Matic  
17 Biara Gardens  
MOUNT CLAREMONT WA 6010  
By email: sandi@konkrethaus.com.au

Dear Mr Matic

**Vivien Jit Sien Yap & Ray White v yourself | Supreme Court proceedings CIV 1106 of 2022**

I refer to the Court hearing and our conversation following the hearing.

As you are aware, I act for Ms Yap and Ray White (Dalkeith Claremont).

**Undertaking**

You informed His Honour Justice Solomon that you are willing to sign an undertaking by which you undertake to the Court not to engage in any of the conduct set out in Order 1 of the Orders made by Justice Solomon on 11 February 2022.

After the Court adjourned you specified that you:

- 1 do not consent to incorporating paragraph 1(i) into the undertaking (being to attend or attempt to attend at any premises at which the first and/or second plaintiff are conducting an invited public viewing or home open in respect of the proposed sale of such premises) telling us that you wish to attend home opens because you are in the process of purchasing a new house; and
- 2 require my clients to give a "mutual" undertaking which requires them to respond to the queries or complaints you have previously raised about the sale of your home.

I advised you that I would take instructions in relation to these matters. My clients:

- 1 do not consent to the variation to the undertaking; and
- 2 will not enter into an undertaking that requires them to further respond to your queries or complaints.



Ground Floor  
28 The Esplanade  
Perth WA 6000

GPO Box 5745  
St Georges Terrace  
Perth WA 6831

T +61 8 6316 2200  
F +61 8 6316 2211

Lawfirst Pty Ltd, ABN 69147622197  
An incorporated legal practice  
trading as Bennett + Co.  
[www.bennettandco.com.au](http://www.bennettandco.com.au)

I am instructed that:

- 1 the sale process (including valuation, inspection and auction) was fully explained to you on numerous occasions throughout the process of selling your home;
- 2 my clients have engaged with you on various occasions in relation to your queries; and
- 3 my clients do not wish to repeat themselves and engage further in relation to these matters. You are entitled to make a complaint with the Department of Mines, Industry Regulation and Safety if you wish to do so.

As such, my clients will not provide an undertaking to respond to your queries on the basis that they have already done so.

Further, my clients do not accept that there is a need for you to attend public viewings or home opens of properties in relation to which they are acting as agent.

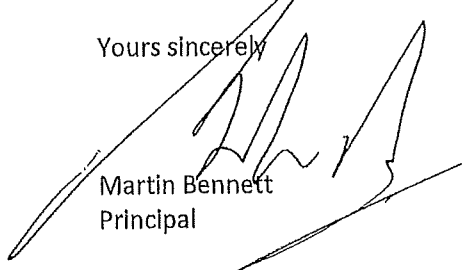
Please find *enclosed* with this letter a draft undertaking in the terms proposed by my clients for your execution. Could you please review the undertaking in detail and, if required, obtain legal advice on its terms. If you provide this undertaking to the Court it has a similar effect to an injunction. Breach of such an undertaking is a contempt of Court.

**Recording of conversation(s) with Angus Mead**

You have stated on multiple occasions that you have possession of recordings of telephone conversations between yourself and Mr Mead on 31 January 2022 and 1 February 2022. You also advised us that you would provide us with those recordings. I note you did not disclose to Mr Mead that you were recording his calls. He disclosed to you when he recorded a call. To the extent that you recorded any call, in the absence of disclosure, you *prima facie* acted in breach of the *Surveillance Devices Act, 1990 (WA)*. I look forward to receiving these recordings from you and any explanation as to why you recorded those calls without disclosure.

If you have any queries in relation to the above matters, please contact me.

Yours sincerely



Martin Bennett  
Principal

Encl.

18 February 2022

Dear Mr Bennett

Regarding your Letter to myself outlining the discussion in regards to the undertaking I need to make the following clarifications to the inconsistency of what was discussed & your written recollection.

1. This is not true & simply cannot even be a matter of misunderstanding what I said. I said specifically I **do not** plan on attending any of the home opens by Vivian or her team but in the event that I unexpectedly do have a home open I would like to attend in the future where Ms Yap / Ray White Dalkeith/Claremont are the listing agent for I would like to not have my freedom of movement taken away from me & restrictions placed upon my being as to where I can and can't go.

Further to this, I advised that if such situation should come up (whilst I perceived it would not) I would be happy to try organize a private viewing with another member of the team if needed and not attend the public home opens.

2. This is what the whole issue is about. I am simply trying to get a formal response from your clients in regards to the issues I raised back in October which I was advised I would get a response in writing number of times by the Dalkeith office but nothing has been sent. Further to this, Angus Mead from Head office has since made contact & promised to get a response sent through to me but I've received nothing from him.

You also advised me to contact Mr Mead for a response to my disputes and they are not something you are dealing with.

Mr Mead has acted as a disruptor attempting to aggravate the situation in order to fabricate these allegations about threats which there were none of.

**Regarding conversation with Angus Mead:**

1. Mr Mead was advised that the telephone conversation is recorded.
2. I did not, I am happy to play the recording in court on Monday - it is approx 8min 30 sec long.
3. You mention breach of Surveillance Devices Act, 1990 (WA). I am unable to find this act anywhere on [www.legislation.wa.gov.au](http://www.legislation.wa.gov.au) and I've spent considerable amount of time searching for it. I would assume a high profile firm does not make these mistakes accidentally so I can only assume it was purposely done.

Please clarify.

In addition to the above,, Ms Yap is requesting that I, who have made no threats to her , accept an injunction restricting my freedom of where I can and can't enter whilst she attempts to get a restraining order (gets knocked back) then starts proceedings for an injunction based on fabricated stories within her office & head office and files it in the Supreme Court.

Something which was completely unknown to me was that Media get access to weekly writs from supreme court and that they would see this as a case of interest due to a "High Profile Real estate agent" being involved and run stories in paper & online.

Once again I point out that these allegations are fabricated & extremely blown out of proportion but as a result of Ms Yap's actions my name has been slandered & defamed and I will likely be seeking further legal advice regarding a separate defamation case. My name & family have been embarrassed & defamed & any business work associated with the house & KonkretHaus name has been tarnished with these vexatious allegations.

On top of this I've had journalists call my phone most of the day yesterday & even coming to the house trying to get a statement.

Where is the concern for our privacy & wellbeing? I have no doubt that Ms Yap would have known that Media would pick this up and these events would unfold this way as I'm sure they would have done the same back in 2020 when Ms Yap's company Empire Sons (Australia) Pty Ltd was involved in a dispute for unfair dismissal in the case Title Case Title Barnett v Empire Sons Australia) Pty Ltd ; Case No. U2020/7085 ; in Fair Work Commission Courts Perth WA.

Sincerely,

Sandi

---

**From:** Martin Bennett  
**Sent:** Friday, 18 February 2022 3:12 PM  
**To:** Sandi Matic (@KonkretHaus)  
**Subject:** RE: Vivien Jit Sien Yap & Ray White v yourself | Supreme Court CIV 1106 of 2022 [116086]

I refer to your email and refer to the relevant title to the Surveillance Devices Act 1998. I have provided a hyperlink below

[http://www.austlii.edu.au/cgi-bin/viewdb/au/legis/wa/consol\\_act/sda1998210/](http://www.austlii.edu.au/cgi-bin/viewdb/au/legis/wa/consol_act/sda1998210/)

Kind regards

**Martin Bennett**  
Principal

**BENNETT+CO**  
Litigation + Commercial Law

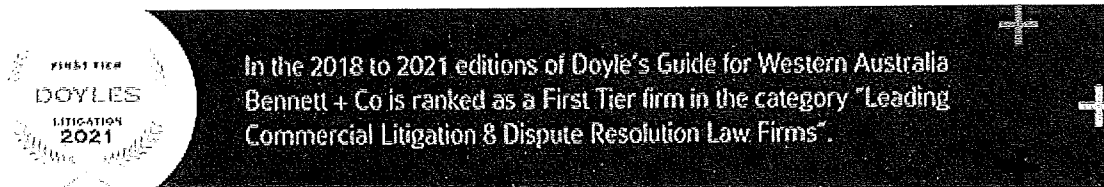
Ground Floor, 28 The Esplanade, Perth WA 6000

T +61 8 6316 2200 M +61 417 995 551  
D +61 8 6316 2255 E [mbennett@bennettandco.com.au](mailto:mbennett@bennettandco.com.au)

[www.bennettandco.com.au](http://www.bennettandco.com.au)



Follow us on LinkedIn



BENNETT + CO | Liability limited by a scheme approved under Professional Standards Legislation.  
This email is confidential. If you are not the intended recipient you must not disclose or use the information contained in it. If you have received this email in error please notify us immediately by return email and delete the document. Bennett + Co is not responsible for any changes made to a document other than those made by Bennett + Co or for the effect of the changes on the document's meaning. Bennett + Co accepts no liability for any damage caused by this email or its attachments due to viruses, interference, interception, corruption or unauthorised access.

**From:** Sandi Matic (@KonkretHaus) <[sandi@konkrethaus.com.au](mailto:sandi@konkrethaus.com.au)>  
**Sent:** Friday, 18 February 2022 3:06 PM  
**To:** Lucy Blakiston <[LBlakiston@bennettandco.com.au](mailto:LBlakiston@bennettandco.com.au)>  
**Cc:** Martin Bennett <[MBennett@bennettandco.com.au](mailto:MBennett@bennettandco.com.au)>; Jessica Border <[JBorder@bennettandco.com.au](mailto:JBorder@bennettandco.com.au)>  
**Subject:** RE: Vivien Jit Sien Yap & Ray White v yourself | Supreme Court CIV 1106 of 2022 [116086]

Hi Lucy,

Response attached.

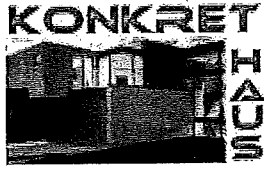
Regards,

**Sandi Matic**

Ph: 0448 800 250

Web: [konkrethaus.com.au](http://konkrethaus.com.au) | [kitchenempire.com.au](http://kitchenempire.com.au) |

IG: @KonkretHaus



**KITCHEN  
EMPIRE**

**From:** Lucy Blakiston [mailto:[LBlakiston@bennettandco.com.au](mailto:LBlakiston@bennettandco.com.au)]

**Sent:** Tuesday, 15 February 2022 9:57 AM

**To:** [sandi@konkrethaus.com.au](mailto:sandi@konkrethaus.com.au)

**Cc:** Martin Bennett; Jessica Border

**Subject:** Vivien Jit Sien Yap & Ray White v yourself | Supreme Court CIV 1106 of 2022 [116086]

Dear Mr Matic

Please see the *attached* correspondence, including the enclosure referred to, sent on behalf of Martin Bennett.

Kind regards

**Lucy Blakiston**

Executive Assistant to Martin Bennett

**BENNETT + CO**

**Litigation & Commercial Law**

Ground Floor, 28 The Esplanade, Perth WA 6000

T +61 8 6316 2200 E [lblakiston@bennettandco.com.au](mailto:lblakiston@bennettandco.com.au)

D +61 8 6316 2230

[www.bennettandco.com.au](http://www.bennettandco.com.au)



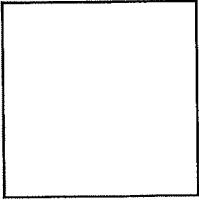
[Follow us on LinkedIn](#)



In the 2018 to 2021 editions of Doyle's Guide for Western Australia  
Bennett + Co is ranked as a First Tier firm in the category "Leading  
Commercial Litigation & Dispute Resolution Law Firms".

BENNETT + CO | Liability limited by a scheme approved under Professional Standards Legislation.

This email is confidential. If you are not the intended recipient you must not disclose or use the information contained in it. If you have received this email in error please notify us immediately by return email and delete the document. Bennett + Co is not responsible for any changes made to a document other than those made by Bennett + Co or for the effect of the changes on the document's meaning. Bennett + Co accepts no liability for any damage caused by this email or its attachments due to viruses, interference, interception, corruption or unauthorised access.



This email has been checked for viruses by Avast antivirus software.  
[www.avast.com](http://www.avast.com)

**From:** Sandi Matic (@KonkretHaus)  
**To:** "Associate to Justice Solomon"; Lucy Blakiston  
**Cc:** Martin Bennett; Jessica Border  
**Subject:** RE: CIV 1106 of 2022 II Yap & Anor v Matic - Contempt Hearing  
**Date:** Monday, 19 September 2022 3:17:30 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Good Afternoon Associate,

Thank you for the below correspondence but I will respectfully decline to contract unless you are able to provide full disclosure?

Sincerely  
Sandi

---

**From:** Associate to Justice Solomon [mailto:associate.justice.solomon@justice.wa.gov.au]  
**Sent:** Monday, 19 September 2022 11:53 AM  
**To:** Lucy Blakiston  
**Cc:** Martin Bennett; Sandi Matic (@KonkretHaus); Jessica Border; Associate to Justice Solomon  
**Subject:** CIV 1106 of 2022 II Yap & Anor v Matic - Contempt Hearing

Dear Parties

I refer to the above matter.

His Honour will list the plaintiffs' amended application for committal of the defendant for contempt of court dated 5 August 2022 for hearing at **2.00pm** on **Thursday 27 October 2022**.

Kind regards

Chambers of the Hon Justice Solomon  
**Supreme Court of Western Australia** | 28 Barrack Street, PERTH WA 6000  
E: [Associate.Justice.Solomon@justice.wa.gov.au](mailto:Associate.Justice.Solomon@justice.wa.gov.au)

---

**From:** Lucy Blakiston <LBlakiston@bennettlaw.com.au>  
**Sent:** Thursday, 8 September 2022 5:47 PM  
**To:** Associate to Justice Solomon <associate.justice.solomon@justice.wa.gov.au>  
**Cc:** Martin Bennett <mbennett@bennettlaw.com.au>; Sandi Matic (@KonkretHaus) <sandi@konkrethaus.com.au>; Jessica Border <JBorder@bennettlaw.com.au>  
**Subject:** CIV 1106 of 2022 II Yap & Anor v Matic - Judgment and Orders

Dear Associate

Thank you for your email.

The plaintiffs' counsel, Mr Bennett, is available at the times and dates below:

|           |   |                                          |
|-----------|---|------------------------------------------|
| September | - | 12, 13, 23, 28, 29, 30                   |
| October   | - | 3-7, 10(pm), 11(pm) 14, 26, 27pm, 28, 31 |
| November  | - | 1, 2, 3, 4pm, 7, 23, 25, 28, 29.         |

Please do not hesitate to contact me if I can be of assistance to the Court.

Kind regards



**Lucy Blakiston**  
Executive Assistant to Martin Bennett

T +61 8 6316 2200  
D +61 8 6316 2230  
[lblakiston@bennettlaw.com.au](mailto:lblakiston@bennettlaw.com.au)

Whadjuk Noongar Boodja  
Level 14, Westralia Square  
141 St Georges Terrace  
PERTH, WA 6000

[bennettlaw.com.au](http://bennettlaw.com.au)



[Follow us on LinkedIn](#)

BENNETT | Liability limited by a scheme approved under Professional Standards Legislation. This email is confidential. If you are not the intended recipient you must not disclose or use the information contained in it. If you have received this email in error please notify us immediately by return email and delete the document. Bennett is not responsible for any changes made to a document other than those made by Bennett or for the effect of the changes on the document's meaning. Bennett accepts no liability for any damage caused by this email or its attachments due to viruses, interference, interception, corruption or unauthorised access.

**From:** Associate to Justice Solomon <[associate.justice.solomon@justice.wa.gov.au](mailto:associate.justice.solomon@justice.wa.gov.au)>

**Sent:** Monday, 5 September 2022 3:43 PM

**To:** Martin Bennett <[mbennett@bennettlaw.com.au](mailto:mbennett@bennettlaw.com.au)>; Jessica Border <[JBorder@bennettlaw.com.au](mailto:JBorder@bennettlaw.com.au)>; Lucy Blakiston <[LBlakiston@bennettlaw.com.au](mailto:LBlakiston@bennettlaw.com.au)>; Sandi Matic (@KonkretHaus) <[sandi@konkrethaus.com.au](mailto:sandi@konkrethaus.com.au)>

**Cc:** Associate to Justice Solomon <[associate.justice.solomon@justice.wa.gov.au](mailto:associate.justice.solomon@justice.wa.gov.au)>

**Subject:** CIV 1106 of 2022 II Yap & Anor v Matic - Judgment and Orders

Dear Parties

I refer to the above matter and to the hearing of 2 September 2022.

Please find the following documents **attached**:

1. Orders of Solomon J entering judgment for the plaintiffs
2. Orders of Solomon J (2 September 2022)
3. The corrected affidavit of the defendant, striking out paragraphs 30 – 33, as per his Honour's order.

As per the exchange at the hearing of 2 September, his Honour requests that the parties provide their availability for a half-day hearing for the balance of September, October and November.

Kind regards

Chambers of the Hon Justice Solomon

**Supreme Court of Western Australia** | 28 Barrack Street, PERTH WA 6000

E: [Associate.Justice.Solomon@justice.wa.gov.au](mailto:Associate.Justice.Solomon@justice.wa.gov.au)

Disclaimer: The information contained in this e-mail may be private and personal or otherwise confidential. If you are not the intended recipient, any use, disclosure or copying of any part of the information is unauthorised. If you have received this e-mail in error, please inform the sender and delete the document.



Virus-free [www.avast.com](http://www.avast.com)

**From:** [Associate to Justice Solomon](#)  
**To:** [Martin Bennett](#); [Lucy Blakiston](#); [Jessica Border](#); [Sandi Matic \(@KonkretHaus\)](#)  
**Cc:** [Associate to Justice Solomon](#)  
**Subject:** CIV 1106 of 2022 II Yap & Anor v Matic - Contempt Hearing  
**Date:** Tuesday, 25 October 2022 11:25:34 AM

---

Dear Parties

In relation to the above matter, this is a courtesy reminder that the plaintiffs' application for committal of the defendant for contempt of court is listed for hearing at **2.00pm** on **27 October 2022**.

Kind regards

Chambers of the Hon Justice Solomon

**Supreme Court of Western Australia** | 28 Barrack Street, PERTH WA 6000

E: [Associate.Justice.Solomon@justice.wa.gov.au](mailto:Associate.Justice.Solomon@justice.wa.gov.au)

Disclaimer: The information contained in this e-mail may be private and personal or otherwise confidential. If you are not the intended recipient, any use, disclosure or copying of any part of the information is unauthorised. If you have received this e-mail in error, please inform the sender and delete the document.

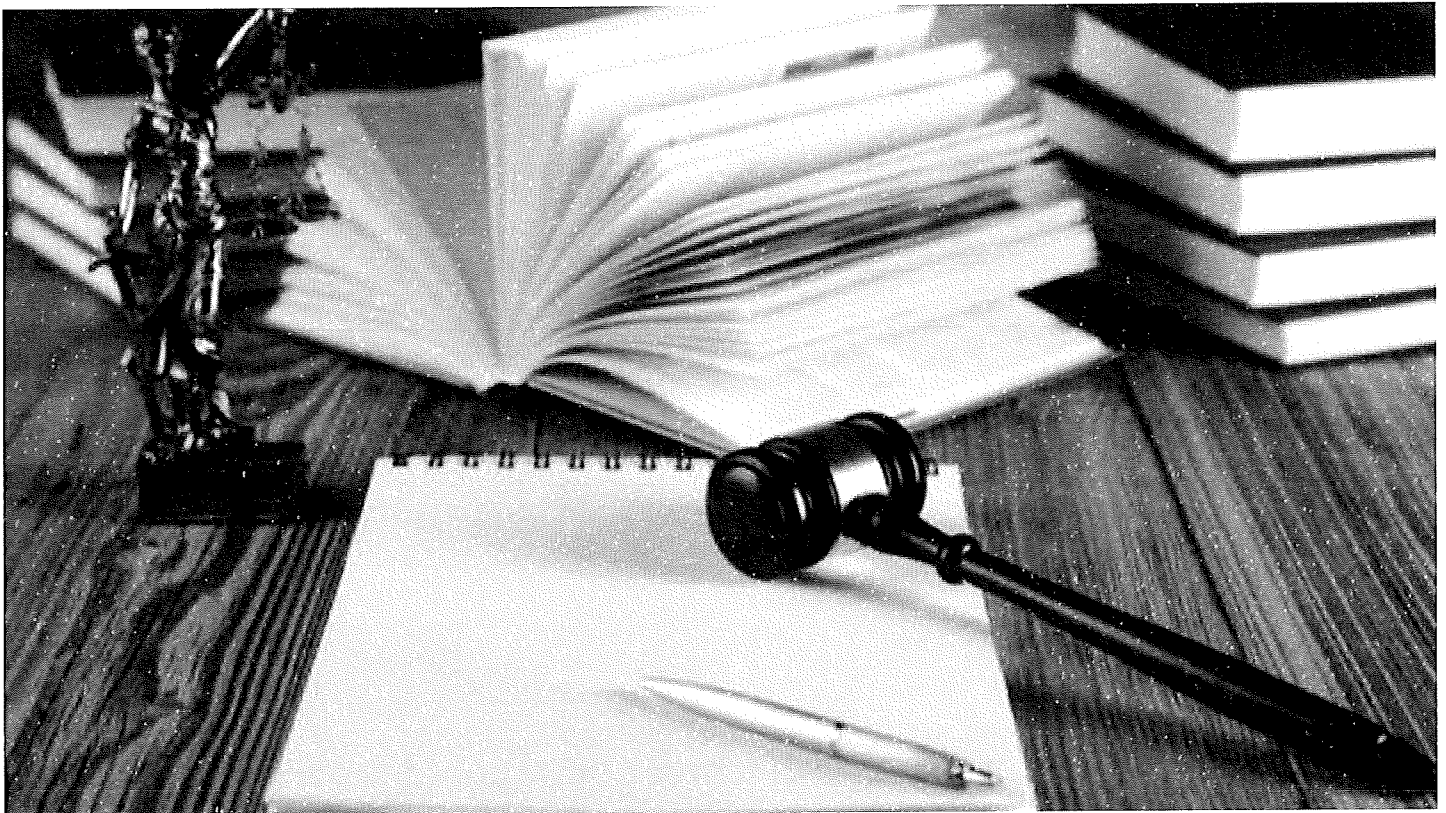
# The West Australian

Crime Business Courts & Justice WA News

## Embattled businessman Sandi Matic hit with arrest warrant after he allegedly misses court hearing

**Neale Prior** The West Australian  
Wed, 5 October 2022 12:53PM +

Neale Prior



 Embattled businessman Sandi Matic has been hit with arrest warrant. Credit: JacobStudio/Getty Images/iStockphoto



The Perth Magistrates Court has issued an arrest warrant for troubled businessmen Sandi Matic after he allegedly missed a scheduled hearing on an intimidation charge.

The State Government website eCourt says there is an outstanding warrant for Mr Matic and requests that he goes to his nearest police station, adding: "Photo identification is required."

The technology entrepreneur was expected to attend Perth Magistrates Court at 9am on

Both criminal charges are believed to be unrelated to Mr Matic's ongoing Supreme Court battles with high-profile western suburbs real estate agent Vivien Yap over the sale last year of his owner-built Mt Claremont home.

Ms Yap's legal team has filed a civil and a criminal contempt of court charge against Mr Matic in the Supreme Court over his alleged conduct in fighting a successful injunction application that Ms Yap launched in February.



URGENT RULING

**Vivien Yap wins second injunction against angry customer**

Neale Prior



The contempt allegations are scheduled back in court on October 27.

Perth Magistrates Court had been expected to set a trial date for his intimidation and bail breach charges on Tuesday.

His court hearing had originally been scheduled for 2.15pm on Tuesday, but is believed to have been brought forward last month to 9am.

A court spokesman told The West Australian on Wednesday morning that Mr Matic did not "make an appearance. . . and an arrest warrant was issued".

**Get the latest news from [thewest.com.au](http://thewest.com.au) in your inbox.**

**SIGN UP FOR OUR EMAILS**



**WA'S #1  
LOCAL NEWS  
PODCAST**  
with Ben O'Shea

**The West  
LIVE**

LISTEN NOW

The West Live. It's WA's favourite daily news podcast.

**FIND OUT MORE**

## FROM AROUND THE SITE

- ▶ [Roser 'didn't panic' in police interview](#)
- ▶ [Thousands miss out on wristbands for four-day leavers party](#) +
- ▶ [WA man jailed over drugs hidden in painting from Canada](#) +
- ▶ [Gumtree advertiser drugged, raped student](#)
- ▶ [Second human skull found in Top End](#)
- ▶ [Horror moment trucker crushed to death](#)

**Demons set to ask for Logue compensation in Jackson deal**

## Sport

## News

### Seniors Are Rushing To End Their Knee Pain With This

Breakthrough knee sleeve is helping millions win the fight against knee pain without pills or surgery

AmRelieve | SPONSORED

[Read More](#)

### Loyal to HBF? This stat may make you think twice

Average health cover premium increase of 3.62% has some Aussies fuming

Health Insurance Comparison | SPONSORED

### Western Australia Seniors Are Eligible For Bluetooth Hearing Aids

Quick and Easy Hearing | SPONSORED

### Social media blunder gives away Russian troop's hideout

## News

### 'Astounding': Vegan activist slams McGowan

## News

### The End Of Foot Neuropathy? Scientists Stunned By Results

AmRelieve | SPONSORED

[Read More](#)

### Say Goodbye to Your Body Hair. Quick and Easy!

Erasilk | SPONSORED

### All Seniors Over The Age Of 60 Should Use These Nail Clippers

Clipperpro | SPONSORED

## Topless German women protest Russian gas

### News

## Gumtree advertiser drugged, raped student

### News

## OUR NETWORK

West Rewards

West Regional Network

West Announcements

West Classifieds

WestBusiness Events

West Travel Club

The Game

Media Education

PerthNow

7plus

7NEWS

## OUR PARTNERS

Car Expert

Starts at 60

Raiz Invest

HealthEngine

SocietyOne

iSeekplant

Home Beautiful

Better Homes & Gardens

Marie Claire

New Idea

That's Life

Beauty Crew

## SUBSCRIBE TO

The West Australian Newspaper

The West Email Newsletters

## CONNECT WITH US



[Contact Us](#) [Frequently Asked Questions](#) [Editorial Policy](#) [Editorial Complaints](#) [Place an ad in the Classifieds](#)

[Advertise in The West Australian](#) [Corporate](#)

---

© West Australian Newspapers Limited 2022 [Privacy Policy](#) [Terms of Use](#)

# The West Australian

Business | Courts &amp; Justice

## Sandi Matic goes from Mt Claremont to Hakea as problems mount for self-represented legal battler



Neale Prior | The West Australian  
Thu, 6 October 2022 4:53PM |

Neale Prior



Troubled businessman Sandi Matic will be locked up in Hakea Prison until at least Monday after being arrested on a Perth Magistrates Court warrant. Credit: Matt Jelonek/WA News



Troubled businessman Sandi Matic will be locked up in Hakea Prison until at least Monday after being arrested on a Perth Magistrates Court warrant.



Deputy Chief Magistrate Elizabeth Woods rejected Mr Matic's pleas for a quick bail hearing when he appeared by video link at her busy Thursday afternoon session held to set trial dates.

When Magistrate Woods suggested he contact a lawyer about his bail application, Mr Matic said he "refused to make the call". "I have been sleeping outside naked in the shed," he said.

A warrant was issued for Mr Matic's arrest on Tuesday when he allegedly failed to turn up to set hearing dates for a 2019 charge of pursuing a woman in South Perth with intention to intimidate.

The charge is unrelated to a Supreme Court row with high-profile western suburbs real estate Vivien Yap over his alleged threatening behaviour related to her sale last year of his owner-built luxury home in Mt Claremont.

He is now also facing a criminal contempt of charge charged laid by Ms Yap's legal team over hostile emails allegedly sent to Parliamentarians and allegedly referring to Supreme Court judge Marcus Solomon.

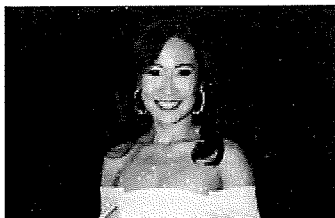
The criminal contempt and a civil contempt allegation are back before the Supreme Court on October 29.

The technology entrepreneur has been representing himself in his civil and criminal legal battles.

Mr Matic has pleaded not guilty to the 2019 intimidation charge that has already been part-heard by Magistrate Richard Huston.

When he went before Magistrate Woods on Thursday afternoon to set dates to continue the hearing, Mr Matic he asked her to read out the charge again, "I am in Hakea and I have not been able to contact anyone," he said.

Ms Woods told Mr Matic the charges related covered six days in September 2019 where the South Perth woman was allegedly intimidated by his behaviour.



ALLEGED THREATS

**REVEALED: Bitter legal feud between estate agent, ex-client**

Neale Prior

The magistrate then sought to find out how many witnesses Mr Matic might call in his defences.

After an interchange where Mr Matic responded to Magistrate Woods with his own questions she said "it had been a long day", "I cut off the link and I will call you tomorrow," she said.

Mr Matic said he might want to call witnesses related the alleged victim.

He then asked Magistrate Woods to hear his bail application straight away, saying his mother was sick, his father was travelling overseas and he had "two children who depend on me".

Magistrate Woods said she had around 100 matters to get through and the earliest bail hearing available was Monday.

This prompted another tense exchange where Mr Matic pleaded unsuccessfully for a bail hearing tomorrow.

The court orderly eventually called "stand down".

Magistrate Woods set a bail hearing for Monday and hearing dates of February 13 and 14 for the intimidation charge.

**From:** [Jessica Border](#)  
**To:** [Sandi Matic \(@KonkretHaus\)](#)  
**Cc:** [Martin Bennett](#); [Lucy Blakiston](#)  
**Subject:** CIV 1106 of 2022 II Yap & Anor v Matic [116086]  
**Date:** Wednesday, 19 October 2022 4:59:42 PM  
**Attachments:** [Bill of Costs.pdf](#)  
[image005.png](#)  
[image006.png](#)

---

Dear Mr Matic

I refer to the above proceedings.

Please find *attached* by way of service the plaintiffs' bill of costs for taxation.

Information regarding the taxation process can be found in the Supreme Court Consolidated Practice Directions, available on the Supreme Court website.

Kind regards



**Jess Border**  
Associate

T +61 8 6316 2200  
D +61 8 6316 2276  
[jborder@bennettlaw.com.au](mailto:jborder@bennettlaw.com.au)

Whadjuk Noongar Boodja  
Level 14, Westralia Square  
141 St Georges Terrace  
PERTH, WA 6000



[bennettlaw.com.au](http://bennettlaw.com.au)

[Follow us on LinkedIn](#)

BENNETT | Liability limited by a scheme approved under Professional Standards Legislation. This email is confidential. If you are not the intended recipient you must not disclose or use the information contained in it. If you have received this email in error please notify us immediately by return email and delete the document. Bennett is not responsible for any changes made to a document other than those made by Bennett or for the effect of the changes on the document's meaning. Bennett accepts no liability for any damage caused by this email or its attachments due to viruses, interference, interception, corruption or unauthorised access.

IN THE SUPREME COURT OF WESTERN AUSTRALIA  
HELD AT PERTH

No. CIV 1106 of 2022

BETWEEN

**Vivien Jit Sien YAP**

First Plaintiff

**-and-**

**EMPIRE SONS (AUSTRALIA) PTY**

Second Plaintiff

**LTD T/AS RAY WHITE (DALKEITH  
CLAREMONT) (ACN 604 259 145)**

**AND**

**Sandi MATIC**

Defendant

---

**BILL OF COSTS (NON ORIGINATING)**

---

Date of Document: 19/10/2022

Filed on behalf of: The Plaintiffs

Filed electronically on (and valid for service from): 19/10/2022

Prepared by:

Bennett

Level 14, Westralia Square  
141 St Georges Terrace  
PERTH WA 6000  
Australia

Telephone: 6316 2200  
Facsimile: 6316 2211  
Contact: Martin Bennett  
Reference: JLB: MLB: 116086

Email: [elodgment@bennettlaw.com.au](mailto:elodgment@bennettlaw.com.au)  
Fees Incurred

\$1,055.00

**FILED**

19 OCT 2022

Via eLodgment  
CENTRAL OFFICE  
SUPREME COURT

Folio 0  
Page 1

IN THE SUPREME COURT OF WESTERN AUSTRALIA

CIV 1106 of 2022

B E T W E E N:

**VIVIEN JIT SIEN YAP**

First Plaintiff

and

**EMPIRE SONS (AUSTRALIA) PTY LTD T/AS RAY WHITE (DALKEITH  
CLAREMONT) (ABN 41 604 259 145)**

Second Plaintiff

**SANDI MATIC**

Defendant

---

**PLAINTIFFS' BILL OF COSTS FOR TAXATION**

---

Allocated Judge:

Justice Solomon

Date of Document:

19 October 2022

Filed on behalf of:

Plaintiffs

Date of Filing:

19 October 2022



Prepared by:

Bennett

Level 14, Westralia Square

141 St Georges Terrace

PERTH WA 6000

Tel: +61 8 6316 2200

Fax: +61 8 6316 2211

Ref: JLB: MLB: 116086

I APPOINT

day the

day of

2022 at

o'clock in the

noon at my Chambers, Room

, Supreme Court, Perth as the time and place to tax the within Bill of Costs.

DATED the

day of

2022.

---

TAXING OFFICER

### Basis for assessment

Orders made by the Honourable Justice Solomon on:

- 1 23 May 2022, that the costs of the hearing of 10 March 2022 be paid by the defendant, to be taxed if not agreed; and
- 2 29 July 2022, that the defendant shall pay the plaintiffs' costs of and incidental to the Notice [of Motion to Discharge] on an indemnity basis to be taxed if not agreed; and
- 3 2 September 2022, that the defendant pay the plaintiffs' costs of the application for injunctive relief, including reserved costs, to be taxed if not agreed.

### Work undertaken by:

#### Senior Practitioners (SP)

Martin Lawrence Bennett (MLB), admitted to practice 22.12.1978.

#### Junior Practitioners (JP)

Jessica Louise Border (JLB), admitted to practice 02.11.2018.



### Applicable Costs Determinations:

*Legal Profession (Supreme and District Courts) (Contentious Business) Determination 2020 (WA)*

*Legal Profession (Supreme and District Courts) (Contentious Business) Determination 2022 (WA)*

### Table of Fee Earners

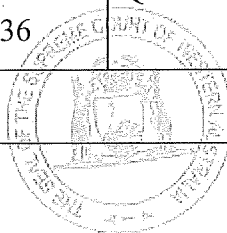
| Practitioner                       | Actual Rate (inc GST)* | Scale Rate | Admission date |
|------------------------------------|------------------------|------------|----------------|
| <b>2020 Determination</b>          |                        |            |                |
| Martin Lawrence Bennett (SP) (MLB) | \$880                  | \$495      | 22.12.1978     |
| Jessica Louise Border (JP) (JLB)   | \$385                  | \$352      | 02.11.2018     |
| <b>2022 Determination</b>          |                        |            |                |
| Martin Lawrence Bennett (SP) (MLB) | \$880                  | \$506      | 22.12.1978     |
| Jessica Louise Border (JP) (JLB)   | \$385                  | \$374      | 02.11.2018     |

\* Not including any written down time or 'but say' discounts

**BILL OF COSTS**

| <b>No</b> | <b>Description</b>                                                                                   | <b>Scale Item</b> | <b>Schedule</b> | <b>Amount Claimed</b> | <b>Amount Taxed</b> |
|-----------|------------------------------------------------------------------------------------------------------|-------------------|-----------------|-----------------------|---------------------|
| 1         | Writ of summons                                                                                      | 1(a)              | N/A             | \$402.33              |                     |
| 2         | Statement of claim                                                                                   | 1(c)              | A               | \$2,272.46            |                     |
| 3         | Proceedings in chambers (urgent ex parte hearing) on 10 February 2022                                | 10(a)             | B               | \$6,957.84            |                     |
| 4         | Proceedings in chambers (return of urgent hearing) on 14 February 2022                               | 10(a)             | C               | \$1,374.77            |                     |
| 5         | Proceedings in chambers (Directions hearing) on 21 February 2022                                     | 10(a)             | D               | \$1,919.50            |                     |
| 6         | Directions hearing on 10 March 2022                                                                  | 10(a)             | E               | \$1,395.90            |                     |
| 7         | Proceedings in chambers (application for continuation of injunctive relief) on 12 April 2022         | 10(a)             | F               | \$15,891.84           |                     |
| 8         | Judgment delivery (application for continuation of injunctive relief) on 23 May 2022                 | 10(b)             | G               | \$492.80              |                     |
| 9         | Consent orders following judgment (application for continuation of injunctive relief) on 23 May 2022 | 10(c)             | H               | \$422.40              |                     |
| 10        | Proceedings in chambers (notice of motion to discharge) filed on 8 June 2022                         | 10(a)             | I               | \$1,860.95            |                     |
| 11        | Judgment delivery (notice of motion to discharge) on 29 July 2022                                    | 10(b)             | J               | \$104.61              |                     |
| 12        | Proceedings in chambers (directions hearing) on 1                                                    | 10(a)             | K               | \$617.45              |                     |

| No            | Description                                                                    | Scale Item | Schedule | Amount Claimed     | Amount Taxed |
|---------------|--------------------------------------------------------------------------------|------------|----------|--------------------|--------------|
|               | August 2022                                                                    |            |          |                    |              |
| 13            | Proceedings in chambers (directions hearing) on 11 August 2022                 | 10(a)      | L        | \$1,158.03         |              |
| 14            | Proceedings in chambers (application for default judgment) on 2 September 2022 | 10(a)      | M        | \$2,664.20         |              |
| 15            | Preparation of case                                                            | 19         | N        | \$484.41           |              |
| 16            | Drawing bill of costs                                                          | 32         | O        | \$4,675            |              |
| 17            | Other work                                                                     | 35(a)      | P        | \$1,870.88         |              |
| 18            | Disbursements (copying, filing fees)                                           | 33 and 36  | Q        | \$4,509.67         |              |
| <b>TOTAL:</b> |                                                                                |            |          | <b>\$49,075.04</b> |              |



**Total : \$** \_\_\_\_\_

Less taxed off : \$ \_\_\_\_\_

Plus filing fee : \$ \_\_\_\_\_

Plus taxing fee : \$ \_\_\_\_\_

**Taxation allowed at : \$** \_\_\_\_\_

I certify that I have this \_\_\_\_\_ day of \_\_\_\_\_ 2022 taxed  
the within Bill of Costs and allowed the same at \$ \_\_\_\_\_.

DATED the \_\_\_\_\_ day of \_\_\_\_\_ 2022.

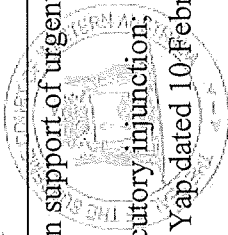
\_\_\_\_\_  
TAXING OFFICER

ITEMISATION OF WORK UNDERTAKEN

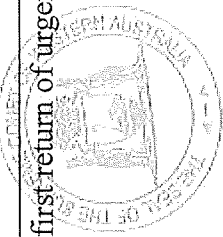
Schedule A

| Item 1(c) – Statement of claim             |              |       |                   |                 |            |
|--------------------------------------------|--------------|-------|-------------------|-----------------|------------|
| Detail                                     | Fee Earner   | Hours | Actual            | At Scale (2020) | Claimed    |
| • Drafting and settling statement of claim | MLB (SP)     | 1     | \$795.07          | <u>\$495.00</u> |            |
|                                            | JLB (JP)     | 6     | <u>\$1,777.46</u> | \$2,112.00      | \$2,272.46 |
|                                            | <b>TOTAL</b> | 7     | \$2,572.53        | \$2,607.00      |            |

## Schedule B

| Item 10(a) - Urgent ex parte application on 10 February 2022                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |            |       |                   |                   |            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-------|-------------------|-------------------|------------|
| Detail                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Fee Earner | Hours | Actual            | At Scale (2020)   | Claimed    |
| <div></div> <ul style="list-style-type: none"><li>Drafting and settling documents in support of urgent application filed on 10 February 2022:</li><li>notice of motion for interlocutory injunction;</li><li>Affidavit of Vivien Jit Sien Yap dated 10 February 2022 (10 pages, 5 annexures);</li><li>undertakings as to damages;</li><li>memorandum supporting waiver of conferral;</li><li>certificate of urgency; and</li><li>letter to Court regarding urgent hearing.</li><li>Correspondence with Court regarding listing of hearing, including whether confidentiality orders to be made.</li><li>Preparation for hearing on 11 February 2022.</li><li>Attendance at the hearing of the ex parte application on 11 February 2022.</li><li>Correspondence with and finalising Affidavit of Angus Mead sworn 18 February 2022 (3 pages, 3 annexures).</li><li>Correspondence with defendant regarding orders made at ex parte hearing.</li></ul> | MLB (SP)   | 6.9   | \$3,862.21        | <u>\$3,415.50</u> | \$6,957.84 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | JLB (JP)   | 15.3  | <u>\$3,542.34</u> | \$5,385.60        |            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | TOTAL      | 22.2  | \$7,404.55        | \$8,801.10        |            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |            |       |                   |                   |            |

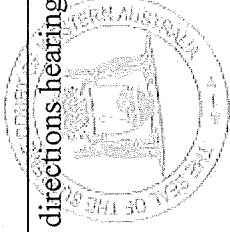
## Schedule C

| Item 10(a) - Return of urgent hearing – 14 February 2022                                                                                                                                                          |              |       |                 |                   |         |            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------|-----------------|-------------------|---------|------------|
| Detail                                                                                                                                                                                                            | Fee Earner   | Hours | Actual          | At Scale (2020)   | Claimed |            |
| <ul style="list-style-type: none"> <li>Preparation for and attendance at first return of urgent injunction hearing</li> </ul>  | MLB (SP)     | 2.1   | \$1,155.37      | <u>\$1,039.50</u> |         |            |
|                                                                                                                                                                                                                   | JLB (JP)     | 1.5   | <u>\$335.27</u> | \$528.00          |         | \$1,374.77 |
|                                                                                                                                                                                                                   | <b>TOTAL</b> | 3.6   | \$1,490.64      | \$1,567.50        |         |            |

## Schedule D

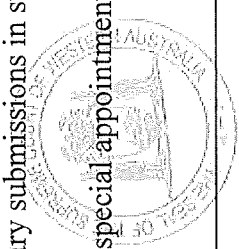
| Item 10(a) - Directions hearing on 21 February 2022                                                                                                                                                |              |       |            |                   |         |            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------|------------|-------------------|---------|------------|
| Detail                                                                                                                                                                                             | Fee Earner   | Hours | Actual     | At Scale (2020)   | Claimed |            |
| <ul style="list-style-type: none"> <li>Drafting and settling Affidavit of Jessica Louise Border affirmed 21 February 2022</li> <li>Preparation for and attendance at directions hearing</li> </ul> | MLB (SP)     | 2.1   | \$1,848.00 | <u>\$1,039.50</u> |         |            |
|                                                                                                                                                                                                    | JLB (JP)     | 2.5   | \$893.75   | <u>\$880.00</u>   |         | \$1,919.50 |
|                                                                                                                                                                                                    | <b>TOTAL</b> |       | \$2,741.75 | \$1,919.50        |         |            |

## Schedule E

| Item 10(a) - Directions hearing on 10 March 2022                                                                                                                                           |              |       |            |                 |            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------|------------|-----------------|------------|
| Detail                                                                                                                                                                                     | Fee Earner   | Hours | Actual     | At Scale (2020) | Claimed    |
| <ul style="list-style-type: none"> <li>Preparation for and attendance at directions hearing</li> </ul>  | MLB (SP)     | 0.9   | \$792.00   | \$445.50        |            |
|                                                                                                                                                                                            | JLB (JP)     | 2.7   | \$965.25   | \$950.40        | \$1,395.90 |
|                                                                                                                                                                                            | <b>TOTAL</b> | 11.7  | \$1,757.25 | \$1,395.90      |            |

## Schedule F

| Item 10(a) - Proceedings in chambers (application for continuation of injunctive relief) on 12 April 2022                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |              |       |             |                 |             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------|-------------|-----------------|-------------|
| Detail                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Fee Earner   | Hours | Actual      | At Scale (2020) | Claimed     |
| <ul style="list-style-type: none"> <li>Drafting and settling evidence in support of continuation of interim injunctive relief granted on 10 February 2022:               <ul style="list-style-type: none"> <li>Affidavit of Vivien Jit Sien Yap sworn 25 March 2022</li> <li>Affidavit of Lee Ann Fitzgerald sworn 30 March 2022</li> <li>Affidavits of Jessica Louise Border affirmed 22 March, 30 March and 8 April 2022</li> <li>Affidavit of Angus Mead sworn 28 March 2022</li> </ul> </li> <li>Drafting and settling submissions in support of continuation of injunctive relief</li> <li>Reviewing defendant's affidavits ahead of hearing (9 affidavits in total)</li> </ul> | MLB (SP)     | 6.8   | \$5,499.88  | \$3,366.00      |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | JLB (JP)     | 25.8  | \$9,159.84  | \$9,820.80      | \$15,891.84 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>TOTAL</b> | 34.7  | \$14,659.72 | \$13,186.80     |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |              |       |             |                 |             |

| Item 10(a) - Proceedings in chambers (application for continuation of injunctive relief) on 12 April 2022                                                                                                                                                                                            |            |       |        |                 |         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-------|--------|-----------------|---------|
| Detail                                                                                                                                                                                                                                                                                               | Fee Earner | Hours | Actual | At Scale (2020) | Claimed |
| <ul style="list-style-type: none"> <li>Drafting and settling supplementary submissions in support of continuation of injunctive relief</li> <li>Preparation for and attendance at special appointment</li> </ul>  |            |       |        |                 |         |

## Schedule G

| Item 10(b) - Judgment delivery (application for continuation of injunctive relief) on 23 May 2022                                                                           |              |       |          |                 |                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------|----------|-----------------|-----------------|
| Detail                                                                                                                                                                      | Fee Earner   | Hours | Actual   | At Scale (2020) | Claimed         |
| <ul style="list-style-type: none"> <li>Correspondence with Court regarding delivery of reserved judgment</li> <li>Preparing for and attending judgment delivery.</li> </ul> | JLB (JP)     | 1.4   | \$500.50 | \$492.80        | <u>\$492.80</u> |
|                                                                                                                                                                             | <b>TOTAL</b> | 1.4   | \$500.50 | \$492.80        |                 |

## Schedule H

| Item 10(c) – Consent orders following judgment (application for continuation of injunctive relief) on 23 May 2022                        |              |       |          |                 |                 |
|------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------|----------|-----------------|-----------------|
| Detail                                                                                                                                   | Fee Earner   | Hours | Actual   | At Scale (2020) | Claimed         |
| <ul style="list-style-type: none"> <li>Correspondence with defendant regarding orders to be made following judgment delivery.</li> </ul> | JLB (JP)     | 1.2   | \$429.00 | <u>\$422.40</u> | <b>\$422.40</b> |
|                                                                                                                                          | <b>TOTAL</b> | 1.2   | \$429.00 | <u>\$422.40</u> |                 |

## Schedule I

| Item 10(a) – Proceedings in chambers (notice of motion to discharge) filed on 8 June 2022                                                                                                                                                                                   |              |       |            |                 |            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------|------------|-----------------|------------|
| Detail                                                                                                                                                                                                                                                                      | Fee Earner   | Hours | Actual     | At Scale (2020) | Claimed    |
| <ul style="list-style-type: none"> <li>Consider defendant's notice of motion</li> <li>Correspondence with Court regarding deadline for submissions in response to defendant's notice</li> <li>Drafting submissions in opposition to defendant's motion (4 pages)</li> </ul> | MLB (SP)     | 0.3   | \$255.71   | \$151.80        |            |
|                                                                                                                                                                                                                                                                             | JLB (JP)     | 4.3   | \$1,605.24 | \$1,608.20      | \$1,860.95 |
|                                                                                                                                                                                                                                                                             | <b>TOTAL</b> | 4.6   | \$1,860.95 | \$1,760.00      |            |

## Schedule J

| Item 10(b) – Judgment delivery (notice of motion to discharge) on 29 July 2022                                                           |              |       |          |                 |          |
|------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------|----------|-----------------|----------|
| Detail                                                                                                                                   | Fee Earner   | Hours | Actual   | At Scale (2020) | Claimed  |
| <ul style="list-style-type: none"> <li>Correspondence with defendant regarding orders to be made following judgment delivery.</li> </ul> | JLB (JP)     | 0.3   | \$104.61 | \$105.60        | \$104.61 |
|                                                                                                                                          | <b>TOTAL</b> | 0.3   | \$104.61 | \$105.60        |          |

## Schedule K

| Item 10(a) – Proceedings in chambers (directions hearing) on 1 August 2022                             |              |       |          |                 |         |          |
|--------------------------------------------------------------------------------------------------------|--------------|-------|----------|-----------------|---------|----------|
| Detail                                                                                                 | Fee Earner   | Hours | Actual   | At Scale (2020) | Claimed |          |
| <ul style="list-style-type: none"> <li>Preparation for and attendance at directions hearing</li> </ul> | MLB (SP)     | 0.6   | \$478.26 | \$303.60        |         |          |
|                                                                                                        | JLB (JP)     | 0.9   | \$313.85 | \$336.60        |         | \$617.45 |
|                                                                                                        | <b>TOTAL</b> | 1.5   | \$792.11 | \$640.20        |         |          |

## Schedule L

| Item 10(a) – Proceedings in chambers (directions hearing) on 11 August 2022                                                                               |              |       |            |                 |         |            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------|------------|-----------------|---------|------------|
| Detail                                                                                                                                                    | Fee Earner   | Hours | Actual     | At Scale (2020) | Claimed |            |
| <ul style="list-style-type: none"> <li>Correspondence with defendant regarding orders to be made following judgment delivery <b>\$1,158.03</b></li> </ul> | MLB (SP)     | 0.7   | \$557.98   | \$354.20        |         |            |
|                                                                                                                                                           | JLB (JP)     | 2.3   | \$803.83   | \$860.20        |         | \$1,158.03 |
|                                                                                                                                                           | <b>TOTAL</b> | 3     | \$1,361.81 | \$1,214.40      |         |            |

## Schedule M

| Item 10(a) – Proceedings in chambers (application for default judgment) on 2 September 2022                                                                                                                                                                                                                     |              |       |            |                 |         |            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------|------------|-----------------|---------|------------|
| Detail                                                                                                                                                                                                                                                                                                          | Fee Earner   | Hours | Actual     | At Scale (2020) | Claimed |            |
| <ul style="list-style-type: none"> <li>Correspondence with Court regarding listing of directions hearing at which default judgment orders would be sought</li> <li>Correspondence with defendant regarding notice of default judgment orders</li> <li>Preparing for and attending directions hearing</li> </ul> | MLB (SP)     | 2.9   | \$2,543.71 | \$1,467.40      |         |            |
|                                                                                                                                                                                                                                                                                                                 | JLB (JP)     | 3.2   | \$1,228.37 | \$1,196.80      |         | \$2,664.20 |
|                                                                                                                                                                                                                                                                                                                 | <b>TOTAL</b> | 6.1   | \$3,772.08 | \$2,664.20      |         |            |
|                                                                                                                                                                                                                                                                                                                 |              |       |            |                 |         |            |

## Schedule N

| Item 19 - Preparation of case                                                                                                                                                                                                   |              |       |          |                 |         |          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------|----------|-----------------|---------|----------|
| Detail                                                                                                                                                                                                                          | Fee Earner   | Hours | Actual   | At Scale (2020) | Claimed |          |
| <ul style="list-style-type: none"> <li>Meeting with client to discuss factual background to matter</li> <li>Meetings between senior and junior practitioners to discuss preparation of urgent injunction application</li> </ul> | MLB (SP)     | 0.8   | \$440.14 | \$396.00        |         |          |
|                                                                                                                                                                                                                                 | JLB (JP)     | 0.4   | \$89.41  | \$140.80        |         | \$484.41 |
|                                                                                                                                                                                                                                 | <b>TOTAL</b> | 1.2   | \$529.55 | \$536.80        |         |          |
|                                                                                                                                                                                                                                 |              |       |          |                 |         |          |

## Schedule O

| Item 32 – Taxing bill of costs                                                                                          |            |       |           |                 |         |
|-------------------------------------------------------------------------------------------------------------------------|------------|-------|-----------|-----------------|---------|
| Detail                                                                                                                  | Fee Earner | Hours | Actual    | At Scale (2020) | Claimed |
| <ul style="list-style-type: none"> <li>Drafting bill of costs and attendance at taxation (estimated 3 hours)</li> </ul> | JLB (JP)   | 12.5  | \$4,812.5 | \$4,675         | \$4,675 |

## Schedule P

| Item 35(a) – Other work                                                                                                                                                                                                                                                                                                                                           |              |       |            |                 |            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------|------------|-----------------|------------|
| Detail                                                                                                                                                                                                                                                                                                                                                            | Fee Earner   | Hours | Actual     | At Scale (2020) | Claimed    |
| <ul style="list-style-type: none"> <li>Attending to and reviewing queries and correspondence from defendant regarding court's jurisdiction, 'personhood', demands for evidence prior to discovery, explanations of court procedure, allegations of fraud and negligence</li> <li>Considering correspondence from Court to defendant regarding the same</li> </ul> | MLB (SP)     | 1.4   | \$1,172.55 | \$708.40        | \$1,870.88 |
|                                                                                                                                                                                                                                                                                                                                                                   | JLB (JP)     | 3.6   | \$1,162.48 | \$1,346.40      |            |
|                                                                                                                                                                                                                                                                                                                                                                   | <b>TOTAL</b> | 5     | \$2,335.03 | \$2,054.80      |            |

## Schedule Q

| Items 33 and 36 – Copying and Disbursements |                          |                                                                   |            |                         |                 |
|---------------------------------------------|--------------------------|-------------------------------------------------------------------|------------|-------------------------|-----------------|
| No                                          | Payee                    | Description                                                       | Date       | Amount<br>(incl<br>GST) | Amount<br>Taxed |
| <b>Document Production</b>                  |                          |                                                                   |            |                         |                 |
| 1                                           | Bennett                  | Printing and photocopying<br>(1,731 pages at \$0.165 per<br>page) | Various    | \$285.62                |                 |
| <b>Supreme Court of Western Australia</b>   |                          |                                                                   |            |                         |                 |
| 2                                           | Supreme Court            | Writ of summons                                                   | 10.02.2022 | \$3,204                 |                 |
| 3                                           | Supreme Court            | Chamber Summons                                                   | 10.02.2022 | \$750                   |                 |
| <b>Process Servers</b>                      |                          |                                                                   |            |                         |                 |
| 4                                           | Personal Process Service | Personal service                                                  | 17.02.2022 | \$231                   |                 |
| <b>Other</b>                                |                          |                                                                   |            |                         |                 |
| 5                                           | ASIC                     | Current and Historical<br>Extract (x1)                            | 10.02.2022 | \$39.05                 |                 |
| <b>TOTAL</b>                                |                          |                                                                   |            | <b>\$4,509.67</b>       |                 |

## Invoice

**ABN:** 70 598 519 443

**Invoice No:** 28899184

**Payment Receipt:** SCR10441806

**Order ID:** EL-CC-2202100052

**Payment Total:** \$3,204.00

**Total includes GST of:** No GST has been charged

**Date Paid:** 10 Feb 2022

**Batch Name:** New Batch from 10-Feb-2022 01:10 PM

**Invoice Details:**

SC/CIV/PER/CIV/1106/2022 - YAP & Anor v MATIC - Writ of Summons (IOC) -  
JLB:MLB:116086 - \$3,204.00

## Invoice

**ABN:** 70 598 519 443

**Invoice No:** 28899258

**Payment Receipt:** SCR10441866

**Order ID:** EL-CC-2202100057

**Payment Total:** \$750.00

**Total includes GST of:** No GST has been charged

**Date Paid:** 10 Feb 2022

**Batch Name:** New Batch from 10-Feb-2022 01:23 PM

**Invoice Details:**

SC/CIV/PER/CIV/1106/2022 - YAP & Anor v MATIC - Motion for - JLB:MLB:116086 - \$750.00

# PERSONAL PROCESS SERVICE

ABN 41 836 300 779

TELEPHONE (08) 9345 0406

MOBILE 0418 942 792

Email: pps4docs@gmail.com

Correspondence to:

P.O. BOX 115  
NORTHBRIDGE  
W.A. 6865

MY REF: 38-926

DATE: 17 February 2022

## TAX INVOICE

TO: BENNETT + CO  
Ground Floor, BGC Centre  
28 The Esplanade  
PERTH WA 6000

BY EMAIL

REF: MLB:116086

RE: Vivian Jit Sien Yap & Empire Sons (Australia) P/L t/as Ray White (Dalkeith Claremont)  
Supreme Court WA CIV 1106 of 2022 - Writ of Summons (+other documents)

11/2/22 @ 11.07am phone from your office – URGENT service required TODAY  
HEARING MONDAY 14/2/22 @ 10.30am

11/2/22 @ 12.08pm documents collected from your office

11/2/22 @ 12.28pm I attended at 17 Biara Gardens, Mount Claremont and at 12.30pm I served SANDI MATIC with your letter dated 11 February 2022 and a copy of the sealed Writ of Summons filed 10/2/22, together with a copy of each of the following documents -

- a) Affidavit of Vivien Jit Sien Yap sworn 10 February 2022 and Attachments "VJSY-1" to "VJSY-5" – filed 10 February 2022;
- b) Orders of Justice Solomon made 11 February 2022 (sealed copy);
- c) Certificate of Urgency for Hearing of Summons Seeking Urgent Injunctive Relief - filed 10 February 2022;
- d) Minute of Orders Sought on Motion for Interlocutory Injunction - filed 10 February 2022;
- e) Notice of Motion for Interlocutory Injunction Pursuant to Order 52 Rule 1 of the Supreme Court Rules 1971 (WA) - filed 10 February 2022;
- f) First Plaintiff's Undertaking as to Damages;
- g) Second Plaintiff's Undertaking as to Damages;
- h) Order 59 Rule 9(2) Memorandum Supporting Waiver of Conferral.

11/2/22 @ 12.34pm I phoned your office however neither Martin Bennett nor Lucy Blakiston were available to take my call. I remained in the vicinity of 17 Biara Gardens, Mount Claremont awaiting a return call from your office.

11/2/22 @ 12.50pm I received a call from Lucy Blakiston, with whom I spoke for over 5 minutes, providing details of service.

11/2/22 I received photos of the Defendant by email from your office.

14/2/22 I provided my draft Affidavit of Service to your office by email, and made arrangements to attend at your office to swear the Affidavit of Service which was required for Court that morning.

14/2/22 @ 9.18am I attended at your office and  
@ 9.20am I provided my sworn Affidavit of Service, together with a copy of the Writ of Summons, duly indorsed as to service.

**FEES:**

|         |                                        |          |
|---------|----------------------------------------|----------|
| 11/2/22 | Telephone from your office             |          |
|         | Collect documents from your office and |          |
|         | URGENT Service @ Mt Claremont          | \$125.00 |
|         | 10KM one way only                      | \$10.00  |

|  |                             |         |
|--|-----------------------------|---------|
|  | Phone to your office;       |         |
|  | Standby for return call and |         |
|  | Phone from your office      | \$25.00 |

|         |                                                                |         |
|---------|----------------------------------------------------------------|---------|
| 11/2/22 | Emails from/to your office                                     |         |
|         | Print & indorse copy of Writ of Summons                        |         |
|         | Prepare Affidavit of Service                                   |         |
|         | Print photos to annexe to Affidavit of Service                 |         |
| 14/2/22 | Emails from/to your office and                                 |         |
|         | URGENT attendance at your office to swear Affidavit of Service | \$50.00 |

|                  |                 |
|------------------|-----------------|
| SUBTOTAL OF FEES | <u>\$210.00</u> |
|------------------|-----------------|

|           |         |
|-----------|---------|
| GST @ 10% | \$21.00 |
|-----------|---------|

|                                            |                        |
|--------------------------------------------|------------------------|
| <b>TOTAL</b> PAYABLE WITHIN 30 DAYS PLEASE | <b><u>\$231.00</u></b> |
|--------------------------------------------|------------------------|

Payment may be made directly to BSB 736 001 A/c 523 657  
Please show MY REF and send remittance advice by email or post



Fee summary - Matter 116086

| Date       | Service                         | Description                                              | User            | Fee     | GST    | Total   |
|------------|---------------------------------|----------------------------------------------------------|-----------------|---------|--------|---------|
| 10/02/2022 | Organisation Extract Historical | EMPIRE SONS<br>(AUSTRALIA) PTY<br>LTD ACN 604 259<br>145 | Bennett<br>& Co | \$37.05 | \$2.00 | \$39.05 |
| Total      |                                 |                                                          |                 | \$37.05 | \$2.00 | \$39.05 |

**From:** [Associate to Registrar Nelson](#)  
**To:** [eLodgment](#); [sandi@konkrethaus.com.au](mailto:sandi@konkrethaus.com.au)  
**Subject:** CIV 1106 of 2022 | YAP & Anor v MATIC  
**Date:** Tuesday, 25 October 2022 12:00:45 PM  
**Attachments:** [CIV 1106 of 2022 -- Notice with amount.pdf](#)

---

Dear parties

I refer to the above matter and to the plaintiffs' bill of costs filed on 19 October 2022.

Please see the **attached** Notice of Provisional Assessment.

Kind regards,

Associate to Registrar Nelson

**Supreme Court of Western Australia** | Level 12, 28 Barrack Street, PERTH WA 6000

t: (08) 9421 5125 e: [Associate.Registrar.Nelson@justice.wa.gov.au](mailto:Associate.Registrar.Nelson@justice.wa.gov.au)

Disclaimer: The information contained in this e-mail may be private and personal or otherwise confidential. If you are not the intended recipient, any use, disclosure or copying of any part of the information is unauthorised. If you have received this e-mail in error, please inform the sender and delete the document.



## SUPREME COURT OF WESTERN AUSTRALIA

David Malcolm Justice Centre  
28 Barrack Street  
Perth WA 6000  
Ph: (08) 9421 5125

25 October 2022

ENQUIRIES : Associate to Registrar Nelson  
Email : [Associate.Registrar.Nelson@justice.wa.gov.au](mailto:Associate.Registrar.Nelson@justice.wa.gov.au)

Bennett  
Level 14, Westralia Square  
141 St Georges Terrace  
PERTH, WA 6000  
By Email: [elodgment@bennettlaw.com.au](mailto:elodgment@bennettlaw.com.au)

Mr S Matic  
17 Biara Gardens,  
MOUNT CLAREMONT, WA 6010  
By Email: [sandi@konkrethaus.com.au](mailto:sandi@konkrethaus.com.au)

### NOTICE OF PROVISIONAL ASSESSMENT

Dear parties

#### **CIV 1106 of 2022 | YAP & Anor v MATIC**

I refer to the above-named proceeding and to the plaintiffs' bill of costs filed on 19 October 2022.

Pursuant to *Supreme Court of Western Australia Consolidated Practice Directions* 4.7.2, Registrar Nelson considered the bill to be suitable for provisional assessment.

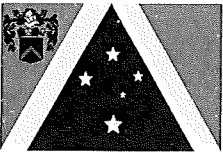
The Registrar has conducted a provisional assessment of the bill and proposes allowing the bill in the sum of **\$32,846.96**.

Pursuant to Practice Direction 4.7.2 the parties have 21 days from the date of this letter to file any objections to the provisional assessment, failing which the Registrar will sign a certificate of taxation at **4.00pm on 15 November 2022** without further notice to the parties.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'J.' or similar.

**Associate to Registrar Nelson**



THIS IS A MATTER OF PUBLIC NOTICE AND FOR THE PUBLIC RECORD.

'Sandi', of the house "Matic" on behalf of "Sandi Matic"

11 Pearson Place

Floreat, Western Australia [6018]

24 October 2022

"Jessica Border" in her private and personal capacity,  
GPO Box H544, Perth  
Western Australia [6001]  
email jborder@bennetlaw.com.au  
AusPost registered mail 945043778014

Re: Email Correspondence

Thank you for your correspondence sent via email on 19-Oct-2022 which we opened today but unfortunately We do not understand the contents and there appears to be no case to answer. On the face it would appear that "Jessica Border" is trying to make a claim for unsolicited goods and services [Cf] Australian Consumer Law ss 40(1) 40(2) 40(4) 41(1)(b) 41(2)(a)((b) 42(a)(b) to enter Our property but unwilling to sign under their full commercial liability and make a bona fide claim as an injured party which may amount to Piracy or Barratry.

To clarify the situation would "Jessica Border" kindly respond to the following question to the above within 14 days with the stipulation that "Jessica Border"s non-response will be acknowledged as tacit acceptance and admission FCR 2011 22.07

1. Is "Jessica Border" an Agent of the Crown?
2. Is "Jessica Border" sworn to uphold Australian Legislation?
3. Which oath did "Jessica Border" get sworn to?
4. If so, would "Jessica Border" kindly show us copy of the Goods and Services We ordered?
5. Is "Jessica Border" willing to take the stand to testify to veracity of the above claim?
6. Does this notice comply with ss 134.1(2) 135.1(5); of Crimes Act 1995?
7. Should this not be treated as discharged for misrepresentation under S.18 of Australian Consumer Law or paid in full **tetel**?

Notice

As the Principal in this matter, we 'Sandi', of the house "Matic" now NOTICE "Jessica Border" that this is a cease -and-desist order until this dispute is finalized with the stipulation that any further contact will invoke the fees contained in Our Schedule of Fees for Remedy (Annexure "D") and a Lien lodged on the PPSR against the personal property of "Jessica Border".

'San Di' and on behalf of the living man

'Sandi', of the house "Matic"

Crown: Matic (De Facto)

Sovereign: Sandi (De Jure)

Private Persons Personal Representative: Christian

Principal, Executive Beneficiary and Authorised Representative for and of the copy right name and estate